REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	09 June 1997
Name of applicant/court:	Gordon and Gotch (NZ) Ltd
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Eros No. 52
Other Known Titles:	Eros plus Leg Shots No. 52 July 1995
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Portland Publishing Ltd.
Author:	Not Applicable
Format:	Magazine
Country of Origin:	England
Language:	English

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Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable

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Classification Decision:

Objectionable.

Display conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The magazine entitled *Eros No. 52* is classified as:
Objectionable.

This classification has been given because the magazine contains material which tends to promote and support the exploitation of young persons for sexual purposes, and promotes and supports the use of coercion to compel any person to submit to sexual conduct. Because the magazine uses young women to sell sexual products and places these images amongst other sexually arousing material the magazine tends to promote and support the exploitation of young persons for sexual purposes. This use of young women is best illustrated in a prominent advertisement depicting a young teenage woman posing sexually and being used to sell video recordings featuring young women. The magazine promotes and supports the use of coercion to compel any person to submit to sexual conduct by presenting as sexually arousing and appealing a story involving two women being forced to submit to sexual conduct as punishment for being caught shoplifting.

These images and themes have been considered and balanced with section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) which confirms the right to freedom of expression. However, s14 of the NZBR Act does not apply to this publication because the magazine tends to promote and support the exploitation of young persons for sexual purposes under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 and tends to promote and support the use of coercion to compel any person to submit to sexual conduct under s3(2)(b) of that Act. Sections 3(2)(a) and (b) override the NZBR Act because they are deeming provisions which cannot be given a meaning that is consistent with the rights and freedoms set out in the NZBR Act.

OFLC Ref: 9600475